

Exhibit 7

Exhibit 7:

Case Law Supporting PHEAA's Motion to Dismiss the Consolidated Amended Class Action Complaint

<u>Section V.D.3.c.</u>	
Plaintiffs' negligence and negligent misrepresentation claims fail because PHEAA, as a loan servicer, does not owe Plaintiffs a duty of care.	
Jurisdictions where loan servicers owe no duty to borrowers for purposes of Plaintiffs' negligence and negligent misrepresentation claims	
Jurisdictions	Supporting Authority
Alabama	<i>Selman v. CitiMortgage, Inc.</i> , No. 12-cv-0441, 2013 U.S. Dist. LEXIS 37017, at *17–21 (S.D. Ala. Mar. 5, 2013) (“no cause of action for negligent or wanton servicing of a mortgage account exists under Alabama law” because no duty is owed to borrowers).
D.C.	<i>Winebarger v. PHEAA</i> , 411 F. Supp. 3d 1070, 1091–92 (C.D. Cal. 2019) (holding that under D.C. law “loan servicers do not owe general duties of care to borrowers”).
Florida	<i>Hyland v. Navient Corp.</i> , No. 18-cv-9031, 2019 U.S. Dist. LEXIS 113038, at *29 (S.D.N.Y. July 8, 2019) (holding that student loan servicers do not owe tort duties to borrowers under Florida law).
Illinois	<i>LaSalle Bank Nat'l Assoc v. Paramount Props.</i> , 588 F. Supp. 2d 840, 853 (N.D. Ill. 2008) (“The Court finds that Illinois does not, and would not, recognize a general duty of care owed by lenders to borrowers.”).
Kansas	<i>Queen's Park Oval Asset Holding Tr. v. Belveal</i> , 2017 Kan. App. Unpub. LEXIS 348, at *14–15 (Kan. Ct. App. May 12, 2017) (holding that loan servicer “had no duty” to borrowers).
Maryland	<i>Ayres v. Ocwen Loan Servicing, LLC</i> , 129 F. Supp. 3d 249, 275 (D. Md. 2015) (holding that it is a “well-established rule that a mortgage servicer does not owe a tort duty to its loan customer”).
Massachusetts	<i>Markle v. HSBC Mortg. Corp. (USA)</i> , 844 F. Supp. 2d 172, 184–85 (D. Mass. 2011) (holding that mortgage servicers do not owe a duty to borrowers).

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Jurisdictions where loan servicers owe no duty to borrowers for purposes of Plaintiffs' negligence and negligent misrepresentation claims

Jurisdictions	Supporting Authority
New Jersey	<i>Bijeu-Seitz v. Atl. Coast Mortg. Servs.</i> , No. 12-cv-6372, 2013 U.S. Dist. LEXIS 90877, at *18–19 (D.N.J. June 27, 2013) (holding that a creditor bank neither owed the borrower plaintiffs a duty to service their loan properly that would make them liable in tort, nor did it assume an independent duty after voluntarily providing financial advice to plaintiffs seeking a mortgage modification)
New York	<i>Hyland v. Navient Corp.</i> , No. 18-cv-9031, 2019 U.S. Dist. LEXIS 113038, at *29 (S.D.N.Y. July 8, 2019) (holding that student loan servicers do not owe tort duties to borrowers under New York law).
Oregon	<i>Fleshman v. Wells Fargo Bank, N.A.</i> , 27 F. Supp. 3d 1127, 1132 (D. Or. 2014) (holding that “a loan servicer-borrower relationship is not a special relationship capable of allowing tort-type damages”).
Pennsylvania	<i>Adams v. Wells Fargo Bank, N.A.</i> , No. 16-cv-0907, 2017 U.S. Dist. LEXIS 212606, at *6 (E.D. Pa. Dec. 27, 2017) (“It is well established that a lender owes no duty of care to his borrower.” (internal quotation marks omitted)); <i>Weinstein v. JP Morgan Chase/Chase Fin.</i> , No. 12-cv-361, 2013 U.S. Dist. LEXIS 65937, at *6–10 (E.D. Pa. May 8, 2013) (Jones, J.) (dismissing a negligence claim on the grounds that a lender’s “service provider” owes no duty to a borrower).
Tennessee	<i>Howard v. Nationstar Mortg., LLC</i> , No. 16-cv-2831, 2017 U.S. Dist. LEXIS 222636, at *6 (W.D. Tenn. June 13, 2017) (finding that mortgage servicer owed no duty of care to borrower).
Virginia	<i>Salehi v. Wells Fargo Bank, N.A.</i> , No. 11-cv-1323, 2012 U.S. Dist. LEXIS 80738, at *11–13 (E.D. Va. June 11, 2012) (finding that there is no “common law duty owed by a loan servicer to a borrower”); <i>Espejo v. George Mason Mortg., LLC</i> , No. 09-cv-1295, 2010 U.S. Dist. LEXIS 8190, at *20 n.1 (E.D. Va. Feb. 1, 2010) (“The Court notes that there does not exist a separate cause of action for negligent misrepresentation in Virginia . . .”).

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Jurisdictions where loan servicers owe no duty to borrowers for purposes of Plaintiffs' negligence claims

Jurisdictions	Supporting Authority
California	<i>Winebarger v. PHEAA</i> , 411 F. Supp. 3d 1070, 1091–92 (C.D. Cal. 2019) (holding that under California law “loan servicers do not owe general duties of care to borrowers”).
Connecticut	<i>Cenatiempo v. Bank of Am., N.A.</i> , 219 A.3d 767, 791-97 (Conn. 2019) (holding that mortgage servicers do not owe a common-law duty of care to borrowers).